

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Constance A. Bell et al.                      Art Unit : 1637  
Serial No. : 10/068,238                                      Examiner : Teresa E. Strzelecka  
Filed : February 5, 2002                                      Conf. No. : 7696  
Title : DETECTION OF BACILLUS ANTHRACIS

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

In response to the Notice of Non-Compliant Appeal Brief mailed March 23, 2009, Applicants herewith submit the attached replacement pages for the Appeal Brief filed February 20, 2009, which was deemed to be non-compliant. Please replace pages 5 and 6 of the Appeal Brief filed February 20, 2009 with the enclosed pages 2 and 3; and please replace pages 11-21 of the Appeal Brief filed February 20, 2009 with the enclosed pages 4-17. Applicants believe that, in view of the attached replacement pages, the Appeal Brief filed February 20, 2009 is now compliant.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

/April 23, 2009/

/M. Angela Parsons/

Date: \_\_\_\_\_

\_\_\_\_\_  
M. Angela Parsons, Ph.D.  
Reg. No. 44,282

Fish & Richardson P.C.  
3200 RBC Plaza  
60 South Sixth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

60569118.doc

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: April 23, 2009